

REMARKS

In accordance with the foregoing, claims 28-30 have been added. Claims 1-7, 9-15, 17-24, 26 and 27-30 are pending and under consideration.

Claims 18-26 are rejected under 35 U.S.C. §101. These claims recite a "computer readable recording medium." The Examiner interprets this language according to paragraph 59 of the present specification. However, this portion indicates that a "machine readable medium" may include propagated signals.

Regarding the §103 rejections, independent claim 1, used as an example herein, recites the file information of the multimedia files includes Meta information of the multimedia files. The Examiner relies upon Barile, and states that the motivation would have been to provide more information to a user or application. However, there is no teaching in the references that this result would have been obtained, or would have been desirable. If the Examiner is taking Official Notice, the Examiner is respectfully requested to indicate this fact, or at least provide a teaching in support of his position.

Regarding claim 27, the Examiner relies upon Official Notice, because Thurott fails to teach an error that the file type is not registered. First, it is noted that this claim recites the displaying the error message comprises displaying the error message when the one of the multimedia files that is dragged and dropped in the activated registration window according to contents "has a file type capable of being replayed by the multimedia players" but "does not have a file type that is consistent with the activated registration window according to contents." Thus, although the file type can be replayed, the error message is still displayed when the file type is not consistent.

Furthermore, Applicants respectfully traverse the Examiner's statement because supporting evidence related to these features of the claimed invention has not been provided, and request that the Examiner produce authority for the statement.

The Applicants specifically point out the following errors in the Examiner's action.

First, the Examiner uses common knowledge ("well-known") evidence for the rejection. As explained in the M.P.E.P.,

any facts so noticed should... server only to "fill in the gaps" in an insubstantial manner which might exist in the evidentiary showing made by the Examiner to support a particular ground for rejection. It is never appropriate to rely solely on common knowledge in the art without evidentiary support in the record as the principal evidence upon which a rejection is based.

M.P.E.P. § 2144.03

Second, the noticed fact is not considered to be common knowledge or well-known in the art. In this case, the limitation is not of notorious character or capable of instant and unquestionable demonstration as being well-known. Instead, this limitation is unique to the present invention (see, M.P.E.P. § 2144.03(A) (the notice of facts beyond the record which may be taken by the Examiner must be "capable of such instant and unquestionable demonstration as to defy dispute").

Third, there is no evidence supporting the Examiner's assertion (see, M.P.E.P. § 2144.03(B) ("there must be some form of evidence in the record to support an assertion of common knowledge").

Fourth, the Examiner appears to be basing the rejections, at least in part, on personal knowledge. The Examiner is required under 37 C.F.R. § 1.104(d)(2) to support such assertion with an affidavit when called for by the Applicant. The Examiner is called upon to support such assertion.

Accordingly, withdrawal of the rejections is requested.

The remaining references do not overcome these deficiencies. Withdrawal of the rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

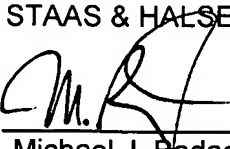
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Michael J. Badagliacca
Registration No. 39,099

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501